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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 LYLE SHAWN CONWAY,

12 Defendant.

CASE NO. CR14-5135 BHS

ORDER DENYING
DEFENDANT'S MOTION

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14 This matter comes before the Court on Defendant Lyle Shawn Conway's
15 ("Conway") motion to serve time at Puyallup Tribal Jail (Dkt. 51). The Court has
16 considered the pleadings filed in support of and in opposition to the motion and the
17 remainder of the file and hereby denies the motion for the reasons stated herein.

18 **I. PROCEDURAL HISTORY**

19 On February 26, 2014, the Government filed a complaint against Conway alleging
20 a count that Conway was dealing in explosive material without a license and a count that
21 Conway was a felon in possession of explosives. Dkt. 1. On March 26, 2014, the
22 Government filed an indictment charging Conway with the same violations. Dkt. 17. On

1 October 17, 2014, the Government and Conway entered into a plea agreement. Dkt. 31.
2 On January 15, 2015, the Court sentenced Conway to 60 days of imprisonment with a
3 recommendation that Conway serve his time at the Puyallup Tribal Jail. Dkt. 46. The
4 Court issued a judgment that same day. Dkt. 48.

5 On March 5, 2015, Conway filed the instant motion requesting that the Court
6 order that Conway serve his time at the Puyallup Tribal Jail because the Federal Bureau
7 of Prisons (“BOP”) has refused to allow Conway to serve his time at that jail. Dkt. 51.
8 On March 6, 2015, the Government responded. Dkt. 53.

9 II. DISCUSSION

10 Conway has failed to cite, and the Court is unaware of, any authority that would
11 authorize the Court to direct the BOP to designate any confinement facility let alone one
12 that is out of its system. Moreover, because the judgment was not entered in error, the
13 Court lacks any authority to alter or amend that judgment. Therefore, the Court denies
14 the motion.

15 III. ORDER

16 Therefore, it is hereby **ORDERED** that Conway’s motion to serve time at
17 Puyallup Tribal Jail (Dkt. 51) is **DENIED**.

18 Dated this 12th day of March, 2015.

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BENJAMIN H. SETTLE
United States District Judge